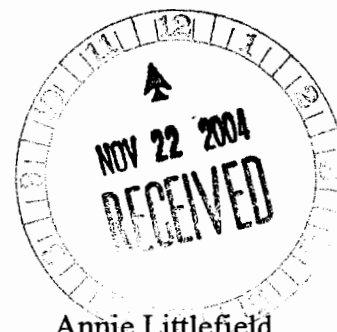


LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION



November 15, 2004

Annie Littlefield

612-335-7082

annie.littlefield@leonard.com

Mr. Sherman Banker
Wisconsin Historical Society
Office of Preservation Planning
Headquarters Building
816 State Street
Madison, WI 53706-1482

El - 1394
2/9/05
DEN

SHSW# 04-0974/MI

Re: Confirmation Letter Regarding Historical Research Relating to the Petition For Exemption to Abandon Approximately 5.0+/- miles of Rail Line Between Milwaukee, Wisconsin and Wauwatosa, Wisconsin; STB Docket No.: AB-57(Sub No. 55X)

Dear Mr. Banker:

We represent Soo Line Railroad Company (d/b/a Canadian Pacific Railway) ("Soo Line") in connection with a proposed abandonment located between Milwaukee, Wisconsin and Wauwatosa, Wisconsin ("the Rail Line"). I write to respond to your October 19, 2004 letter ("Letter") that was originally sent to Soo Line's Judy Mitchell, which requested a literature search of the buildings and structures located within the proposed abandonment's Area of Potential Effect (APE). The Letter also requested that Soo Line identify and evaluate any historic properties that may be affected by this abandonment pursuant to 36 C.F.R. § 800.4. The U.S.G.S. 7.5 minute topographic quadrangle map showing the APE is enclosed for your records.

Following up on the Wisconsin Historical Society letter, Soo Line engaged the services of Amy Squitieri, Manager of Historic Preservation, Mead & Hunt, Inc. An inspection of the Wisconsin Historical Society's database, which Ms. Squitieri performed, did not reveal any historic buildings or structures within the Area of Potential Effect. A copy of Ms. Squitieri's research results is attached as **Exhibit A**.

Further, Soo Line's previous visual inspections of the Rail Line and inspection of our Rail Line records did not reveal any historic buildings or structures.

150 SOUTH FIFTH STREET SUITE 2300 MINNEAPOLIS, MINNESOTA 55402 TEL 612-335-1500 FAX 612-335-1657

LAW OFFICES IN MINNEAPOLIS, SAINT PAUL, MANKATO, SAINT CLOUD AND WASHINGTON, D.C.

Mr. Sherman Banker
Wisconsin Historical Society
November 15, 2004
Page 2

Consequently, in view of the lack of results from the above inspections, Soo Line has no historic structures to identify or evaluate in connection with the proposed abandonment of the Rail Line. Soo Line believes its abandonment-related historic research requirements are completed. If, however, you need further information, please contact me at (612) 335-7082.

Very truly yours,

LEONARD, STREET AND DEINARD
Professional Association

A handwritten signature in cursive script that reads "Annie Littlefield/sah". The signature is written in dark ink and is positioned above the printed name.

ANNIE LITTLEFIELD

AL/sah

Enclosures: Ms. Squitieri's Research Results (**Exhibit A**)
 National Historic Preservation Act § 106 Form (**Exhibit B**)
 Project Summary (**Exhibit C**)
 U.S.G.S. 7.5 Minute Topographic Quadrangle Showing APE

cc: (w/enc.): Mr. Vernon A. Williams, Secretary
 Surface Transportation Board
 1925 K Street, N.W.
 Washington, D.C. 20423-0001
 (U.S.G.S. 7.5 Minute Topographic Quadrangle Showing APE not enclosed)

cc (w/o enc.) Judy Mitchell, CPR
 Steve Fisk, CPR
 Carolyn V. Wolski, Esq.
 Jean M. Hamm, Esq.

Exhibit A



November 4, 2004

Ms. Annie Littlefield
Leonard, Street and Deinard
150 South Fifth Street, Suite 2300
Minneapolis, MN 55402

Subject: West Allis Line Historical Research

Dear Ms. Littlefield:

In accordance with our agreement dated November 2, 2004, Mead & Hunt, Inc. completed a literature search to determine if there are any previously identified buildings or structures of historical significance along the 5.0 ± West Allis Line operated by the Canadian-Pacific Railway Company and proposed to be abandoned. No previously identified buildings or structures of historical significance were found along this line.

Please let us know if you have questions or require further information.

Sincerely,

MEAD & HUNT, Inc.

A handwritten signature in black ink, appearing to read "Amy R. Squitieri".

Amy R. Squitieri
Manager of Historic Preservation

EXHIBIT B

For SHPO Use Only. Case # _____

REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL UNDERTAKING

Submit one copy with each undertaking for which our comment is requested. Please print or type. Return to:
Wisconsin Historical Society, Division of Historic Preservation, Office of Preservation Planning, 816 State Street, Madison, WI 53706
Please Check All Boxes and Include All of the Following Information, as Applicable.

I. GENERAL INFORMATION

- ☐ This is a new submittal.
- ☒ This is supplemental information relating to Case #: 04-0974/MI, and title: Soo Line Petition for Exemption /R.R. Abandonment
- ☐ This project is being undertaken pursuant to the terms and conditions of a programmatic or other interagency agreement. The title of the agreement is _____
- a. Federal Agency Jurisdiction (Agency providing funds, assistance, license, permit): Surface Transportation Board
- b. Federal Agency Contact Person: Mr. Vernon A. Williams, Secretary Phone: (202) 565-1500
- c. Project Contact Person: Annie Littlefield Phone: (612) 335-7082
- d. Return Address: 150 South Fifth Street, Suite 2300, Minneapolis, Minnesota Zip Code: 55402
- e. Email Address: annie.littlefield@leonard.com
- f. Project Name: The West Allis Line Abandonment / STB Docket No. AB-57 (55X)
- g. Project Street Address: See Exhibit C
- h. County: See Ex. C City: See Ex. C Zip Code: See Ex. C
- i. Project Location: Township See Ex. C, Range See Ex. C, E/W (circle one), Section See Ex. C, Quarter Sections See Ex. C
- j. Project Narrative Description—Attach Information as Necessary. See Ex. C
- k. Area of Potential Effect (APE). Attach Copy of U.S.G.S. 7.5 Minute Topographic Quadrangle showing APE.

II. IDENTIFICATION OF HISTORIC PROPERTIES

- ☐ Historic Properties are located within the project APE per 36 CFR 800.4. Attach supporting materials.
- ☒ Historic Properties are not located within the project APE per 36 CFR 800.4. Attach supporting materials.

III. FINDINGS

- ☒ No historic properties will be affected (i.e., none is present or there are historic properties present but the project will have no effect upon them). Attach necessary documentation, as described at 36 CFR 800.11.
- ☐ The proposed undertaking will have no adverse effect on one or more historic properties located within the project APE under 36 CFR 800.5. Attach necessary documentation, as described at 36 CFR 800.11.
- ☐ The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6. Attach supporting documentation as described at 36 CFR 800.11 with a proposed plan to resolve adverse effect(s).

Authorized Signature: Annie Littlefield Date: November 15, 2004

Type or print name: Annie Littlefield

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

- ☐ Agree with the finding in section III above.
- ☐ Object to the finding for reasons indicated in attached letter.
- ☐ Cannot review until information is sent as follows: _____

Authorized Signature: _____ Date: _____

HP-05-07 (8/15/03)

EXHIBIT C

On October 21, 2004, Soo Line Railroad Company, d/b/a Canadian Pacific Railway Company ("Soo Line"), filed a Petition for an Exemption pursuant to 49 U.S.C. § 10502 and 49 C.F.R. § 1152.60 with the United States Department of Transportation - Surface Transportation Board (STB) to discontinue and abandon all freight rail operations over an approximately 5.0+/- mile section extending between milepost 88.2 +/- (near the State Highway 41 crossing in Milwaukee) and milepost 93.2+/- (near North 123rd Street in Wauwatosa) and traversing through United States Postal Service Zip Codes 53215 (in Milwaukee), 53295 (in West Milwaukee), 53214 (in West Allis), and 53226 (in Wauwatosa), all in Milwaukee County, Wisconsin ("the Rail Line"). The Rail Line is located within Sections 30, 31, 32, 33, 34, and 35, Township 7 North, Range 21 East in Milwaukee County. The Rail Line, now out of service for nearly three years, had been used as a corridor since 1864 and currently passes through residential, commercial, and industrial areas.